

PATENT

Docket No. 24180-0653001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of Tournier, et al.

Appln. No. 10/018,322

Filed: December 11, 2001

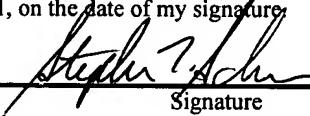
For: **Barrier Material Made of  
Extruded Microlayers**

Examiner: unassigned

Group Art Unit: unassigned

Certificate of Mailing

) I, hereby certify that this correspondence (along with any documents referred to as attached or enclosed) is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231, on the date of my signature.

  
Signature

4-10-02

Date of Signature

**Box PCT (DO/EO/US)  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Applicants hereby responds to the Notification of Missing Requirements dated February 20, 2002, (copy enclosed) and provides the missing Combined Declarations and Powers of Attorney herewith. This application is on behalf of other than a small entity Pursuant to 37 C.F.R. § 1.17(e), the surcharge for filing this Response is for other than a small entity in the amount of \$130.00, charge Account No. 13-0206 the sum of \$130.00.

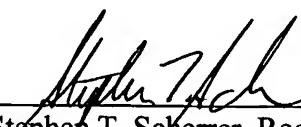
If any additional fee is required in connection with this communication, charge Account

No. 13-0206. A duplicate of this transmittal is attached.

Date: April 10, 2002

Respectfully submitted,

MCDERMOTT, WILL & EMERY  
227 West Monroe Street  
Chicago, Illinois 60606-5096  
tel. no.: (312) 372-2000  
fax. no.: (312) 984-7700

  
Stephen T. Scherrer, Reg. No. 45,080  
One of the Attorneys for Applicant(s)

130.00 CH  
288.00 CH  
280.00 CH



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,322	Tournier	24180-653001

Stephen T Scherrer  
 McDermott Will & Emery  
 227 West Monroe Street  
 Chicago, IL 60606-5096

R E C E I V E D  
 FEB 28 2002  
 MW&E

INTERNATIONAL APPLICATION NO.	
PCT/IB00/00936	
I.A. FILING DATE	PRIORITY DATE
06/06/2000	06/11/1999

CONFIRMATION NO. 7909  
 371 FORMALITIES LETTER  
  
 \*OC00000007497190\*

Date Mailed: 02/20/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

DOCKETED  
 04/20/2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (wh re 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$568 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$698 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$568
  - \$288 for 24 total claims over 20.
  - \$280 for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,322	PCT/IB00/00936	24180-653001

FORM PCT/DO/EO/905 (371 Formalities Notice)

**PATENT**  
Docket No. 24180-0653001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of Tournier, et al.

Appln. No. 10/018,322

Filed: December 11, 2001

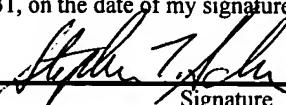
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Examiner: unassigned

Group Art Unit: unassigned

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Signature

4-10-02

Date of Signature

**Box PCT (DO/EO/US)  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

**REQUEST FOR CORRECTION OF IDENTIFICATION OF  
INTERNATIONAL APPLICATION NO.**

Dear Sirs:

Please be advised that we note an error with respect to the international application no. identified in the Notification of Missing Requirements dated February 20, 2002 (copy enclosed), which shows it as PCT/US00/00936. Please find enclosed a copy of the Transmittal Letter identifying the correct international application no. as PCT/US00/00934, which was filed on December 11, 2001. Therefore, Applicants hereby request the correction of the international application no. be recorded. Please note that a response to the Notification of Missing Requirements is filed under separate cover today.

The correction is not necessitated by any error by the Applicants and Applicants believe that no fee is due. However, the Assistant Commissioner is hereby authorized to charge any fees which may be required to Account No. 13-0206. A duplicate copy of this communication is enclosed for that purpose.

Date: April 10, 2002

Respectfully submitted,

  
\_\_\_\_\_  
Stephen T. Scherer, Reg. No. 45,080  
One of the Attorneys for Applicant(s)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known	
Application Number	10/018,322
Filing Date	December 11, 2001
First Named Inventor	Tournier, Sandrine
Examiner Name	unassigned
Group Art Unit	unassigned
Attorney Docket No.	24180-653001

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	13-0206
Deposit Account Name	McDermott, Will & Emery

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  
 Check     Credit card     Money Order     Other

**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>		<b>0</b>	

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	x =	0
Independent Claims	- 3** =	x =	0
Multiple Dependent		=	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>0</b>

\*\*or number previously paid, if greater; For Reissues, see above

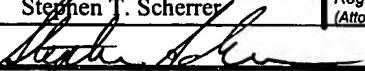
**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	130
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

130

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Stephen T. Scherer	Registration No. (Attorney/Agent)	45,080 Telephone (312) 372-2000
Signature		Date	April 10, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.